

18 AAC 50.030 is amended as follows:

18 AAC 50.030. STATE AIR QUALITY CONTROL PLAN. Volumes II and III of the *State Air Quality Control Plan* for implementing and enforcing the provisions of AS 46.14 and this chapter, as amended through <new date>, are adopted by reference. The plan includes the following documents, which are also adopted by reference: ...

Volumes II and III of the State AIR Quality Control Plan are amended by deleting the following:

18 AAC 50.040 is amended to add a new subsection (h) to read:

(h) The provisions of 40 C.F.R. 52.21 are adopted by reference except that the term “Administrator” shall mean “department” except in relation to

- (1) EPA approvals of a state permit program;
- (2) proposing or promulgating federal regulations for emission standards;
- (3) Identifying constituents or precursors of pollutants subject to national ambient air quality standards; or
- (4) Maintaining the RACT/BACT/LAER Clearinghouse.

ARTICLE 3. MAJOR STATIONARY SOURCE PERMITS.

18 AAC 50.300. PERMIT CONTINUITY. (a) An air quality permit that is effective under 18 AAC 50 as of < insert the day before the effective date of the regulation> remains in effect until it

- (1) expires, consistent with AS 46.14.230;
- (2) is revoked by the department under AS 46.14; or
- (3) is replaced by a permit issued under this chapter.

18 AAC 50.301. PREVENTION OF SIGNIFICANT DETERIORATION (PSD) PROGRAM PERMITS. (a) An owner or operator must obtain a PSD program permit under this section before beginning actual construction of a new major stationary source, or a major modification or PAL major modification of an existing major stationary source.

(b) To satisfy the requirement of (a) of this section, the owner or operator will comply with the requirements of 40 C.F.R. 52.21 (which is adopted by reference), except that the owner or operator shall submit all applications, notices, and other submittals to the department rather than to the "Administrator", and shall obtain all approvals, determinations, or permits from the department. The owner or operator shall use the procedures of 18 AAC 50.5??-5?? to obtain approvals or determinations listed in 40 C.F.R. 52.21 that are not part of a PSD program permit.

(c) The department will issue each permit under this section following the procedures and other requirements of 40 C.F.R. 52.21. The term "Administrator" shall mean "department" except in relation to

- (1) EPA approvals of a state permit program;
- (2) proposing or promulgating federal regulations for emission standards;
- (3) Identifying constituents or precursors of pollutants subject to national ambient air quality standards; or
- (4) Maintaining the RACT/BACT/LAER Clearinghouse.

18 AAC 50.990. DEFINITIONS.

- (1) "actual emissions" has the meaning given in 40 C.F.R. 52.21(b);
- (2) "administrator" means the administrator of the United States Environmental Protection Agency;
- (3) "allowable emissions" has the meaning given in 40 C.F.R. 52.21(b), except that for the purposes of 18 AAC 50.510 – 519
 - (A) the allowable emissions for any emissions unit shall be calculated considering any emission limitations that are enforceable as a practical matter on the emissions unit's potential to emit; and
 - (B) an emissions unit's potential to emit shall be determined using the definition in 18 AAC 50.990, except that the words "or enforceable as a practical matter" should be added after "federally enforceable;"
- (4) "baseline actual emissions" has the meaning given in 40 C.F.R. 52.21(b);
- (5) "begin actual construction" has the meaning given in AS 46.14.990;

(6) “building, structure, facility, or installation” has the meaning given in AS 46.14.990;

(7) “Clean Unit” has the meaning given in 40 C.F.R. 52.21(b);

(8) “commence” as applied to construction of a major stationary source or major modification has the meaning given in AS 46.14.990;

(9) “construct” or “construction” has the meaning given in AS 46.14.990;

(10) “emission unit” has the meaning given in AS 46.14.990;

(11) “PAL effective date” has the meaning given in 40 C.F.R. 52.21(aa);

(12) “PAL effective period” has the meaning given in 40 C.F.R. 52.21(aa);

(13) “PAL major modification” has the meaning given in 40 C.F.R. 52.21(aa);

(14) “PAL permit” means a permit issued under 18 AAC 50.504 and either 18 AAC 50.500 - 506, <nsr procedure in 300’s>, or <Title V procedure in 300s> that establishes a PAL for a major stationary source;

(15) “PAL pollutant” means the pollutant for which a PAL is established at a major stationary source;

(16) “plantwide applicability limitation (PAL)” means an emission limitation expressed in tons per year, for a pollutant at a major stationary source, that is enforceable as a practical matter and established source-wide in accordance with 18 AAC 50.520 – 529;

(17) “pollution control project” or “PCP” has the meaning given in 40 C.F.R. 51.166(b);

(18) “potential to emit” has the meaning given in AS 46.14.990;

(19) “project” has the meaning given in 40 C.F.R. 51.166(b);

(20) “PSD major stationary source” has the meaning given to “major stationary source” in 40 C.F.R. 51.166(b);

(21) “PSD major modification” has the meaning given to major modification in 40 C.F.R. 51.166(b);

- (22) “PSD program” has the meaning given in 40 C.F.R. 51.166(b);
- (23) “regulated NSR pollutant” has the meaning given in 40 C.F.R. 51.166(b);
- (24) “reviewing authority” means the Alaska Department of Environmental Conservation;
- (25) “stationary source” has the meaning given in AS 46.14.990;
- (26) for the purposes of 18 AAC 50.300-306, the definitions in (A) – (G) of this paragraph are as adopted by reference in 18 AAC 50.040:
 - (A) “major stationary source” means a stationary source or physical change that meets the definition of “major stationary source” under 40 C.F.R. 51.166(b);
 - (B) “major modification” means a change that meets the definition of “major modification under 40 C.F.R. 51.166(b).
 - (C) “net emissions increase” has the meaning given in 40 C.F.R. 51.166(b), except that the reasonable period for increases and decreases in actual emissions to be creditable is within five years before the date of the permit application;
 - (D) “significant” has the meaning given in 40 C.F.R. 51.166(b);
 - (E) “significant emissions increase” has the meaning given in 40 C.F.R. 51.166(b);
 - (F)
 - (G)
- (27) for the purposes of 18 AAC 50.520 – 529,
 - (A) “Actuals PAL” for a major stationary source means a PAL based on the baseline actual emissions of all emissions units at the source, that emit or have the potential to emit the PAL pollutant;
 - (B) “major emissions unit” means

(i) any emissions unit that emits or has the potential to emit 100 tons per year or more of the PAL pollutant in an attainment area; or

(ii) any emissions unit that emits or has the potential to emit the PAL pollutant in an amount that is equal to or greater than the major source threshold for the PAL pollutant as defined by the Act for nonattainment areas; for example, in accordance with the definition of major stationary source in section 182(c) of the Clean Air Act, an emissions unit would be a major emissions unit for VOC if the emissions unit is located in a serious ozone nonattainment area and it emits or has the potential to emit 50 or more tons of VOC per year;

(C) “significant emissions unit” means an emissions unit that emits or has the potential to emit a PAL pollutant in an amount that is equal to or greater than the significant level for that PAL pollutant under 18 AAC 50.990 or under the Clean Air Act, whichever is lower, but less than the amount that would qualify the unit as a major emissions unit;

(D) “small emissions unit” means an emissions unit that emits or has the potential to emit the PAL pollutant in an amount less than the significant level for that PAL pollutant under 18 AAC 50.990 or under the Clean Air Act, whichever is lower;

(28) for the purposes of 18 AAC 50.311 – 317

(29)

(30)